

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

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IN RE: BELLSOUTH
TELECOMMUNICATIONS, INC.
TARIFF TO REVISE DIRECTORY
ASSISTANCE AND DIRECTORY
ASSISTANCE CALL COMPLETION
(TARIFF NO. 04-1434)

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T.R.A. DOCKET ROOM

DOCKET NO. 04-00416

COMPLAINT AND PETITION TO INTERVENE

Comes now Paul G. Summers, the Attorney General & Reporter, through the Consumer Advocate and Protection Division of the Office of Attorney General (hereinafter "Consumer Advocate"), pursuant to Tenn. Code Ann. § 65-4-118 and Rule 1220-1-2-.02 of the Tennessee Regulatory Authority and respectfully petitions to intervene in this case on behalf of the public interest, because Tennessee consumers may be affected by actions taken in this docket. The Consumer Advocate respectfully petitions as follows:

1. The Consumer Advocate has a duty and the authority under Tenn. Code Ann. § 65-4-118(c)(2)(A) to represent the interests of Tennessee consumers of public utilities services.
2. The Consumer Advocate is authorized by Tenn. Code Ann. §§ 65-4-118 and 65-5-210(b) to initiate, participate or intervene in proceedings to represent the public interest in accordance with the Uniform Administrative Procedures Act ("UAPA")
3. BellSouth Telecommunications, Inc. ("BellSouth") is a telecommunications carrier regulated by the Tennessee Regulatory Authority ("TRA") pursuant to Tenn. Code Ann. §§ 65-4-101 and 65-4-104. BellSouth's usual address for service is 333 Commerce Street, Nashville, Tennessee

37201-3300.

4. BellSouth filed a tariff to reduce call allowances for directory assistance and to extend exemptions to directory assistance call completion (the "Tariff"). Currently, subscribers can make up to six intrastate directory assistance calls per month at no charge. The Tariff reduces this allowance to three per month. Currently, qualifying visually or physically disabled subscribers, subscribers who are 65 years of age or older, or such disabled or elderly people who live at the residence of a subscriber on a permanent basis are allowed free directory assistance and free call completion, but these services require two separate telephone calls. The Tariff allows free call completion to follow free directory assistance within the context of a single telephone call for qualifying visually or physically disabled subscribers or such disabled people who live at the residence of a subscriber on a permanent basis.

5. The TRA established the allowance of six directory assistance calls per month at no charge in its "Order Approving Tariff and Denying Consumer Advocate's Petition" in Docket No. 99-00391. Also, the TRA rejected a proposal by a different telephone company to allow only three directory assistance calls per month at no charge and instead required six directory assistance calls per month at no charge in its "Order Approving in Part and Denying in Part Tariff No. 96-201" in Docket No. 96-01423.

6. The Consumer Advocate petitions to intervene and submits this complaint for the purpose of defending the policy established by the TRA that Tennessee subscribers be allowed six directory assistance calls per month at no charge, consistent with the TRA's decisions in Docket No. 96-01423 and Docket No. 99-00391. The Tariff is contrary to this policy and is contrary to the interests of Tennessee consumers.

7. The Consumer Advocate petitions to intervene and submits this complaint for the purpose of extending the simplified and improved free directory assistance call completion service to subscribers who are age 65 or older and people who are age 65 or older who live at the residence of a subscriber on a permanent basis. The Tariff is contrary to the interests of such Tennessee consumers, because it limits the simplified and improved free directory assistance call completion service to qualifying visually or physically disabled subscribers or qualifying visually or physically disabled people who live at the residence of a subscriber on a permanent basis.

8. Only by participating and/or intervening in this proceeding can the Consumer Advocate accomplish the purposes set forth by the General Assembly to represent and protect the interests of Tennessee consumers in matters involving public utility services.

WHEREFORE, the Consumer Advocate prays that the Tennessee Regulatory Authority convene a contested case for the purpose of evaluating the issues in this matter.

RESPECTFULLY SUBMITTED,



PAUL G. SUMMERS, B.P.R. # 6285
Tennessee Attorney General




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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Complaint and Petition to Intervene was served on parties below via facsimile and U.S. Mail, postage prepaid, on the 28th day of December, 2004.

Guy M. Hicks, Esquire
General Counsel
BellSouth Telecommunications, Inc.
333 Commerce Street, Suite 2101
Nashville, Tennessee 37201-3300


Stephen R. Butler
Assistant Attorney General